IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO.150 OF 2007
IN
NOTICE OF MOTION NO.929 OF 2005
IN
SUIT NO.933 OF 2005

M/s. Jhaveri Industries .... Appellants
Vs.
Majethia Masala .... Respondents

Shri Salil Shah i/b M/s. Purnanand & Co.
for the Appellants.

Shri M.A. Mahadgut for the Respondents.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: APRIL 25, 2007

P.C:

Heard. Apart from observing that the findings arrived in the impugned order, either in para 10 or para 11, to which attention was drawn as well as all the other findings in the impugned order, so also the findings given by any other authority in relation to the matter in dispute in Suit No.933 of 2005 or be in relation to the impugned order cannot come in the way of the learned single Judge while deciding the suit on merits and the learned single Judge shall not get influenced by those observations while deciding the dispute on merits, no interference is warranted in the impugned order. All the findings in the impugned order are prima facie findings. Hence there is no case for

interference in the impugned order, except the above observations. The appeal accordingly stands disposed of with no order as to costs.

Liberty to the parties to move the learned single Judge for expeditious disposal of the suit.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

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